

109TH CONGRESS  
2D SESSION

# H. R. 2389

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IN THE SENATE OF THE UNITED STATES

JULY 20, 2006

Received

AUGUST 4 (legislative day, AUGUST 3), 2006

Read twice and referred to the Committee on the Judiciary

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## AN ACT

To amend title 28, United States Code, with respect to the jurisdiction of Federal courts over certain cases and controversies involving the Pledge of Allegiance.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Pledge Protection Act  
3 of 2005”.

4 **SEC. 2. LIMITATION ON JURISDICTION.**

5       (a) IN GENERAL.—Chapter 99 of title 28, United  
6 States Code, is amended by adding at the end the fol-  
7 lowing:

8 **“§ 1632. Limitation on jurisdiction**

9       “(a) Except as provided in subsection (b), no court  
10 created by Act of Congress shall have any jurisdiction, and  
11 the Supreme Court shall have no appellate jurisdiction, to  
12 hear or decide any question pertaining to the interpreta-  
13 tion of, or the validity under the Constitution of, the  
14 Pledge of Allegiance, as defined in section 4 of title 4,  
15 or its recitation.

16       “(b) The limitation in subsection (a) does not apply  
17 to—

18               “(1) any court established by Congress under  
19 its power to make needful rules and regulations re-  
20 specting the territory of the United States; or

21               “(2) the Superior Court of the District of Co-  
22 lumbia or the District of Columbia Court of Ap-  
23 peals;”.

24       (b) CLERICAL AMENDMENT.—The table of sections  
25 at the beginning of chapter 99 of title 28, United States

1 Code, is amended by adding at the end the following new  
2 item:

“1632. Limitation on jurisdiction.”.

3 **SEC. 3. EFFECTIVE DATE.**

4       This Act and the amendments made by this Act take  
5 effect on the date of the enactment of this Act and apply  
6 to any case that—

7           (1) is pending on such date of enactment; or

8           (2) is commenced on or after such date of en-  
9 actment.

Passed the House of Representatives July 19, 2006.

Attest:

KAREN L. HAAS,

*Clerk.*